

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN JEFFERY CASTILLEJA,

Defendant.

No. 4:16-CR-6032-EFS-1

**ORDER GRANTING MOTION FOR
PROTECTIVE ORDER, STIPULATED
MOTION FOR FORENSIC REVIEW
PROCEDURES, AND MOTION TO
EXPEDITE**

Before the Court is the Government's Stipulated Motion re: Forensic Review Procedures for Child Pornography Contraband, ECF No. 27; Motion for a Protective Order, ECF No. 28; and related Motion to Expedite, ECF No. 29. The Court finds good cause to grant the motions.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Government's Motion to Expedite, **ECF No. 29**, is **GRANTED**.

2. The Government's Stipulated Motion re: Forensic Review Procedures for Child Pornography Contraband, **ECF No. 27**, is **GRANTED**.

3. Pursuant to 18 U.S.C. § 3509(m), the defense team shall not make, nor permit to be made, any copies of the child pornography contraband pursuant to this stipulation and order. The defense team is forbidden from removing any

1 contraband images from the government reviewing facility.
2 Defense expert will be allowed to compile a report (without
3 contraband images/videos) documenting the examination on
4 removable media if the case dictates. Defense expert will
5 be provided with a CD/DVD burner and disks to copy his or
6 her report onto optical media.

7 **4.** The government will make a copy of the seized defense media
8 and reasonably available to the defendant and provide ample
9 opportunity for the defense team to examine subject to the
10 procedures agree to by the parties in the Stipulated Motion
11 re: Forensic Review Procedures for Child Pornography
12 Contraband, ECF No. 27.

13 **5.** The Government's Motion for a Protective Order, **ECF No. 28**,
14 is **GRANTED**.

15 **6.** All persons acting in this case in a capacity described in
16 18 U.S.C. § 3509(d)(1)(B), shall follow and abide by the
17 privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as
18 follows:

19 (d) Privacy protection.—

20 (1) Confidentiality of information.—

21 (A) A person acting in a capacity described in
22 subparagraph (B) in connection with a
23 criminal proceeding shall—

24 i) keep all documents that disclose the
25 name or any other information concerning
26 a child in a secure place to which no

1 person who does not have reason to know
2 their contents has access; and

3 ii) disclose documents described in clause
4 (i) or the information in them that
5 concerns a child only to persons who, by
6 reason of their participation in the
7 proceeding, have reason to know such
8 information.

9 (B) Subparagraph (A) applies to—

10 i) all employees of the Government
11 connected with the case, including
12 employees of the Department of Justice,
13 any law enforcement agency involved in
14 the case, and any person hired by the
15 Government to provide assistance in the
16 proceeding;

17 ii) employees of the court;

18 iii) the defendant and employees of the
19 defendant, including the attorney for
20 the defendant and persons hired by the
21 defendant or the attorney for the
22 defendant to provide assistance in the
23 proceeding; and

24 iv) members of the jury.

25 (2) Filing Under Seal. — All papers to be filed in
26 court that disclose the name of or any other

1 information concerning a child shall be filed
2 under seal without necessity of obtaining a
3 court order. The person who makes the filing
4 shall submit to the clerk of the court-

5 (A) the complete paper to be kept under seal;
6 and

7 (B) the paper with the portions of it that
8 disclose the name of or other information
9 concerning a child redacted, to be placed
10 in the public record.

11 (C) the search warrants in this case contain
12 personal and identifying information
13 regarding the minor victims in this case.
14 The Government will follow the procedure
15 as described in paragraph (A) and (B) to
16 comply with the provisions of 18 U.S.C. §
17 3509(d).

18 **7.** Counsel shall remind all persons providing assistance on
19 this case of these obligations.

20 **8.** Any alleged minor victim will be referred to either by
21 initial or a pseudonym, whichever is agreed upon by counsel
22 for the United States and the Defendant. Counsel shall be
23 consistent in their use of the identifier selected. The
24 parties shall prepare their witnesses and instruct them to
25 refer to the alleged minor victims only by using the agreed
26 pseudonyms (e.g., "Jane Doe 1", "Jane Doe 2" etc.), rather

1 than their names, in opening statements and in closing
2 arguments.

3 9. All personal information relating to any minor victim shall
4 be precluded from public disclosure.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this
6 Order and provide copies to all counsel.

7 **DATED** this 28th day of June 2016.

8 s/Edward F. Shea

9 EDWARD F. SHEA
10 Senior United States District Judge
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